

105TH CONGRESS  
2D SESSION

# H. R. 4576

To amend section 106 of the Child Abuse Prevention and Treatment Act and subpart 1 of part B of title IV of the Social Security Act to require States receiving funds under such provisions to have in effect a State law providing for a criminal penalty on an individual who fails to report having knowledge of another individual's commission of a crime of violence or a sex crime against a person under the age of 18.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 1998

Ms. WATERS introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend section 106 of the Child Abuse Prevention and Treatment Act and subpart 1 of part B of title IV of the Social Security Act to require States receiving funds under such provisions to have in effect a State law providing for a criminal penalty on an individual who fails to report having knowledge of another individual's commission of a crime of violence or a sex crime against a person under the age of 18.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REQUIREMENT ON STATES RECEIVING GRANTS**  
2 **FOR CHILD ABUSE AND NEGLECT PREVEN-**  
3 **TION AND TREATMENT PROGRAMS.**

4 Section 106(b)(2) of the Child Abuse Prevention and  
5 Treatment Act (42 U.S.C. 5106a(b)(2)) is amended—

6 (1) in subparagraph (C), by striking “and” at  
7 the end;

8 (2) in subparagraph (D), by striking the period  
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(E) an assurance in the form of a certifi-  
12 cation by the chief executive officer of the State  
13 that the State has in effect and is enforcing a  
14 State law providing for a criminal penalty on an  
15 individual who, having knowledge of the actual  
16 commission of a crime of violence or a sex  
17 crime against a person under the age of 18 for  
18 which imprisonment for a term greater than  
19 one year may be imposed, does not as soon as  
20 possible make known the crime to an appro-  
21 priate State authority.”.

22 **SEC. 2. REQUIREMENT ON STATES RECEIVING PAYMENTS**  
23 **FOR CHILD WELFARE SERVICES.**

24 Section 422(b) of the Social Security Act (42 U.S.C.  
25 622(b)) is amended—

1           (1) by striking “and” at the end of paragraph  
2           (11);

3           (2) by striking the period at the end and insert-  
4           ing “; and”; and

5           (3) by adding at the end the following:

6           “(13) provide an assurance in the form of a  
7           certification by the chief executive officer of the  
8           State that the State has in effect and is enforcing  
9           a State law providing for a criminal penalty on an  
10          individual who, having knowledge of the actual com-  
11          mission of a crime of violence or a sex crime against  
12          a person under the age of 18 for which imprison-  
13          ment for a term greater than one year may be im-  
14          posed, does not as soon as possible make known the  
15          crime to an appropriate State authority.”.

16 **SEC. 3. EFFECTIVE DATE.**

17          The amendments made by sections 1 and 2 shall take  
18          effect on October 1, 1999.

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